

OUTGOING
AIRGRAM

Department of State

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SENT TO Amembassy BONN

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Bonn's D-1742 and 2699

Berlin Contingency Planning

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Reftel refers to Washington Tripartite Planning Group for decision question whether we should, after Soviet withdrawal from BASC (in absence any Soviet acknowledgement of agency relationship or Soviet agreement recognize continuing validity our access rights): (1) avoid any communication with East German authorities on air traffic control matters; or (2) attempt to communicate flight information to East Germans. If latter course followed, decision also required re means of communication to be used.

Tripartite discussion here so far has been limited and inconclusive. French were initially opposed to any communication to East Germans but later indicated willingness accept ~~xxxxx~~ broadcasting of flight information by radio. British favored suggestion of communicating flight information by telephone and telegraph to East German Lufthansa but uncertain about practicability this suggestion. British believed BEA might not wish fly unless receipt of flight plans acknowledged by East Germans.

Preliminary discussion reveals our ignorance of technical facets of problem will make it difficult if not impossible take decisions requested unless Embassies at Bonn can furnish additional information and comment.

Factors weighing against communication of flight information to East Germans are possibility on one hand of eliciting unfavorable replies and on other of being trapped into dealings

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with GDR regime. If flight information communicated, East Germans might well reply that GDR has not granted overflight permission or that safety of flight cannot be guaranteed. Such reply would leave us at best in position analogous to that we would have been in if we had decided against any communication to East Germans. Flights could be continued only by reasserting our rights and assuming East Germans would maintain positive separation of their aircraft from ours. Also possible that attempt to communicate flight information action would have aggravated situation, because we might have conveyed impression we consider East German acceptance of flight plan essential for safety of flight and because carriers might be more reluctant carry out flights for which "guarantee" of flight safety" refused than they would have been to carry out flights re which no information passed to East Germans. On other hand, if East Germans give "guarantee of flight safety" or raise no specific objection when notified of flight, we could assume they would not schedule conflicting flights and flight safety would thus be enhanced. However East Germans would probably demand as price of such cooperation that formal arrangements be negotiated between Western Powers and GDR.

In attempting balance pros and cons, we find we need answers to following questions, which we hope Embassies can provide.

To what extent could improvements already made in communications and navigational aids (cf USCINCEHR's EC 9-2195 April 18) and other improvements which might be made tend to compensate for possible diminution of flight safety which could result from failure pass flight information to Soviets or East Germans?

Have Embassies examined possibility, suggested by Department some time ago, of broadcasting flight information by radio? If technically feasible, this method of communication would enable us putting East Germans on notice of flights in manner which would eliminate contact with GDR regime and would make it more difficult for East Germans to give negative responses re individual flights.

Can Embassies comment further on practicability of communicating flight information by telephone and teletype?

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Since Soviets will presumably leave Karlshorst HQ at same time they leave BASC, use of telephone line to Karlshorst would seem at best to be practicable for conveying contemplated initial statement that flight information will continue to be passed to Soviet desk in BASC and that Soviets will be held responsible for safety of Allied aircraft (Berlin's 315, November 11).

Can Embassies provide further explanation of suggestion flight information be passed to East German Lufthansa? Since Lufthansa has no responsibility for air traffic control, is it not likely to disclaim responsibility and refer BASC to appropriate GDR air traffic control agency? What is this agency and by what means would Lufthansa communicate with it? How much time would be expected to lapse before information, if forwarded through this channel, came to attention of GDR air traffic control and, if acknowledgement made, before BASC informed? It appears to us likely this procedure might be impracticable because of delays even if not rejected by East Germans.

Department's tentative views, which we shall of course wish review upon receipt of answers to questions above, are:

1. It would be preferable not repeat not to communicate flight information to East Germans provided Three Powers can themselves assure reasonable flight safety without doing so.
2. If flight information must be communicated to East Germans to avoid risk to flight safety, it would be preferable communicate by radio broadcasting, provided such procedure practicable.
3. If broadcasting not practicable we would be prepared accept communication flight information by telephone/~~telegram~~ or teletype to East German Lufthansa provided:
 - a. Further study shows such procedure to be practicable and sufficiently rapid; and
 - b. Tripartite agreement is reached beforehand that:
 - (1) There will be no negotiations with GDR agencies to set up arrangements and form of communication ~~be so worded~~ will

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as to avoid connotation of recognition of GDR or acceptance of East German right participate in air traffic control in corridors and

(2) If, in reply, East Germans attempt force us into dealings with GDR or purport to deny GDR overflight clearance or "guarantee of flight safety", Three Powers will:

(a) make statement reiterating Allied rights and saying Three Powers will act on assumption East Germans will maintain absolute separation of aircraft and (b) continue flights as usual but without any further communication of flight information to East Germans.

We intend discuss this question further with British and French along above lines and inform British and ~~French~~ French we are sending this message to Embassy.

Hope Embassy can attempt without delay obtain tripartite report supplementing enclosure to D-1742 with further information and comment and, if possible, with recommendations. Meanwhile Embassy's unilateral comments would be appreciated.

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